

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

John Kotsopoulos and Joanna Kotsopoulos,	)	C.A. No. 4:06-1106-TLW-TER
	)	
Plaintiffs,	)	
	)	
vs.	)	ORDER
	)	
Mortgage Electronic Registration Systems, Inc.	)	
and JP Morgan Chase Bank, N.A.	)	
for GMAC Mortgage Corporation,	)	
	)	
Defendants.	)	
	)	

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This matter is now before the undersigned for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Thomas E. Rogers, III, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). In his Report, Magistrate Judge Rogers recommends that defendants’ motions to dismiss and/or for summary judgment (Docs. # 5, 12, & 18) be granted, that plaintiffs’ motion to amend (Doc. # 27) be denied, and that this case be dismissed. (Doc. # 31). On March 9, 2007, plaintiffs filed objections to the Report. (Doc. # 33). Defendants filed a response to plaintiffs’ objections on March 19, 2007. (Doc. # 37).

In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections. . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a de novo determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a de novo or any other standard, the factual

or legal conclusions of the magistrate judge as to those portions of the Report and Recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F.Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of this standard, the Court has reviewed, de novo, the Report and the objections thereto. Plaintiffs have filed detailed objections outlining their position as to their case generally, as well as to the Report issued by the Magistrate Judge. This Court has carefully reviewed and considered all of plaintiffs' objections. However, after a de novo review of the Report and the objections thereto, the Court finds that the Report accurately states and applies the law to the facts of this case. Accordingly, the Court accepts the Report.

For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 31), and defendants' motions to dismiss and/or for summary judgment (Docs. # 5, 12, & 18) are **GRANTED**, plaintiffs' motion to amend (Doc. # 27) is **DENIED**, and this case is **DISMISSED**.

**IT IS SO ORDERED.**

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s/ Terry L. Wooten  
**TERRY L. WOOTEN**  
**UNITED STATES DISTRICT JUDGE**

March 22, 2007  
Florence, South Carolina